

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 6, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ROC-21668 - APPLICANT/OWNER: GREAT WASH PARK LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. A waiver of Title 19.12 is hereby granted to allow a four-foot perimeter landscape buffer where eight feet is the minimum required along a portion of the south property line adjacent to building number nine as shown on the plans dated stamped 05/01/07. All other required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.
2. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-10770) and all other site related cases and as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Review of Condition to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12 and to allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard.

The change to the condition is requested due to the curve in the right-of-way along Alta Drive near building number nine. The encroachment into the landscape buffer would be for a short distance and would have a minimal affect on the site. The required number of trees and shrubs would remain as originally approved. All landscaping outside the affected area shall be required to meet the minimum standards of Title 19.12.

**Condition number nine shall be re-worded to state:**

9. A waiver of Title 19.12 is hereby granted to allow a four-foot perimeter landscape buffer where eight feet is the minimum required along a portion of the south property line adjacent to building number nine as shown on the plans dated stamped 05/01/07. All other required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/26/98	The City Council approved a General Plan Amendment (GPA-0067-97) from M (Medium Density Residential) and SC (Service Commercial) to GC (General Commercial) on the subject property. An associated Rezoning (Z-0127-97) to allow a 40,000 square-foot three-story non-gaming resort with 576 guest rooms was also approved at that time. The Planning Commission recommended approval of the requests on 12/18/97.
04/04/01	The City Council approved a Rezoning (Z-0003-01) from U (Undeveloped) [GC (General Commercial) General Plan Designation] to C-1 (Limited Commercial). An associated request for a Special Use Permit (U-0017-01) for a restaurant service bar in conjunction with a proposed athletic club and tennis club was also approved. The Planning Commission recommended approval of both requests on 02/22/01.

11/30/04	The applicant filed a General Plan Amendment (GPA-5652) and a second Rezoning application (ZON-5655) in order to permit the mixed-use development as currently proposed. With the adoption of the amendment to the City's Mixed-Use Ordinance (Ordinance #5738, adopted 12/15/04) the applicant withdrew the General Plan Amendment and Rezone applications, as they were no longer necessary.
03/02/05	The City Council approved a Rezoning (ZON-5653) application from U (Undeveloped) to C-2 (General Commercial), approved a Site Development Plan Review (SDR-5657) to allow a mixed use development consisting of 700,000 square feet of commercial space and 375 residential condominium units in (1) 10-story and (2) 5-story residential condominium buildings, and a Special Use Permit (SUP-5853) for a mixed use commercial and residential development. Staff and Planning Commission recommended approval.
04/19/06 *	The City Council approved a Site Development Plan Review (SDR-10770) for a mixed-use development consisting of 699,000 net square feet (787,329 Gross Square Feet) of commercial space and 340 residential units. A companion item, Variance (VAR-10773), is also included to address the allowance of 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for the mixed use development project. Staff recommended denial, while the Planning Commission recommended approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
02/23/07	C-0410-06 Plan Check for Building #18 at 302 S. Rampart.
03/19/07	C-0084-07 Plan Check for Parking Structure at 302 S. Rampart.
<b><i>Pre-Application Meeting</i></b>	
04/20/07	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	28.78

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	GC (General Commercial)	Undeveloped (General Commercial) under ROI to C-2 (General Commercial)
North	Golf Course	PR (Parks/Recreation/ Open Space)	C-V (Civic)
South	Undeveloped	SC (Service Commercial)	PD (Planned Development)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Gaming, Hotel	SC (Service Commercial)	C-1 (Service Commercial)

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails: Multi-Use Transportation Trail</b>	<b>X</b>	
<b>Rural Preservation Neighborhood</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>	<b>X</b>	
<b>Project of Regional Significance</b>	<b>X</b>	

## **ANALYSIS**

The applicant is requesting a Review of Condition to change condition number nine from Site Development Plan Review (SDR-21668). The change to the condition is requested due to the curve in the right-of-way along Alta Drive near building number nine. The encroachment into the landscape buffer would be for a short distance and would have a minimal affect on the site. The required number of trees and shrubs would remain as originally approved. All landscaping outside the affected area shall be required to meet the minimum standards of Title 19.12.

Condition number nine from SDR-10770 stated that:

9. All required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

### **Condition number nine shall be re-worded to state:**

9. A waiver of Title 19.12 is hereby granted to allow a four-foot perimeter landscape buffer along a portion of the south property line adjacent to building number nine as shown on the plans dated stamped 05/01/07. All other required perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffer areas and the width of all buffers shall conform to the minimum requirements listed in Title 19.12.

## **FINDINGS**

The encroachment into the required landscape buffer is minimal and is only for a short distance. This will have a minimal, if any, affect on the project. The required number of trees and shrubs shall still be required, as well as conformance to Title 19.12 landscaping requirements in all other areas. Approval of this request is recommended.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      276

**APPROVALS**      0

**PROTESTS**      0